

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY MARSHALL,

Plaintiff,

No. CIV S-04-1657 DFL PAN P

vs.

DEPUTY CASTRO, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On August 22, 2006, the magistrate judge filed an order and findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. The findings and recommendations recommended granting defendant Headley's motion for judgment on the pleadings and also dismissing defendant Solano County Sheriff from the action for plaintiff's failure to state a claim upon which relief may be granted as to both defendants. Plaintiff has filed objections to the findings and recommendations.

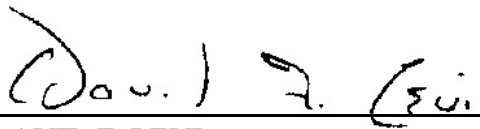
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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
3 file, the court finds the findings and recommendations to be supported by the record and by
4 proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed August 22, 2006, are adopted in full.
- 7 2. Defendant Headley's motion for judgment on the pleadings is granted.
- 8 3. Plaintiff's claims against defendant Solano County Sheriff are dismissed
9 without prejudice. See Fed. R. Civ. P. 41(a)(2).

10 DATED: March 2, 2007

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14 DAVID F. LEVI
15 United States District Judge
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